

Appl. No. 10/713,526
Amdt.AF dated December 7, 2005
Response to Office Action Mailed September 8, 2005

REMARKS

Applicant has carefully reviewed the Office Action mailed September 8, 2005. Favorable reconsideration is respectfully requested in light of the above amendments and the following comments. Claims 1 and 6 have been amended to more particularly describe the invention. New claim 13 is comparable in scope to previously presented claim 1, but has been rewritten to more expressly claim the tire valve in which the transponder is mounted. No new matter has been added as a result of these amendments, which are fully supported by the specification and Figures as filed.

As a preliminary matter, Applicant brings to the Examiner's attention that a Change of Correspondence Address in Application was submitted on September 28, 2004. However, the application does not reflect our customer number in Private PAIR. Applicant requests action to be taken to acknowledge the customer number provided on September 28, 2004. A copy of the Change of Correspondence Address in Application including the Auto-Reply is attached herewith.

Applicant respectfully traverses the Examiner's rejection of claims 1, 6, 10 and 12 under 35 U.S.C. §103(a) as unpatentable over McClelland et al., U.S. Patent No. 6,710,708. The claims as amended require that the transponder include an annular casing. While McClelland et al. disclose a housing, this housing cannot be considered as describing or suggesting an annular casing. Because McClelland et al. describe a transponder that is exterior to the valve stem (and appears to surround the valve stem), one of ordinary skill in the art would not interpret this reference as describing or suggesting an annular casing to accommodate, as claimed, a transponder that is disposed within a valve stem. This is a claimed element neither described nor suggested by the cited reference.

Moreover, the claimed invention as amended recites that the annular casing include an upper casing portion and a lower casing portion, where the upper casing portion and the lower casing portion are connected to each other along a plane intersecting an axis of the casing, as clearly illustrated in the Figures. An upper casing portion that is connected to a lower casing portion indicates that the upper and lower casing portions are distinct elements, not merely different portions of an integral housing as shown by McClelland et al. This is another claimed element neither described nor suggested by the cited reference.

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The claimed invention recites elements that are not described by McClelland et al. and moreover are not suggested or taught. Thus, the *prima facie* obviousness rejection is flawed and should be withdrawn. Favorable reconsideration is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claims 4, 5, 8 and 9 under 35 U.S.C. §103(a) as unpatentable over McClelland et al., U.S. Patent No. 6,710,708, in view of Senba et al., U.S. Patent Application Publication No. 2003/0179151. McClelland et al. have been distinguished above as failing to meet the claimed invention of claim 1, from which claims 4 and 5 depend, and claim 6, from which claims 8 and 9 depend. Claims 4, 5, 8 and 9 add additional elements and, therefore, are also patentable over McClelland et al.

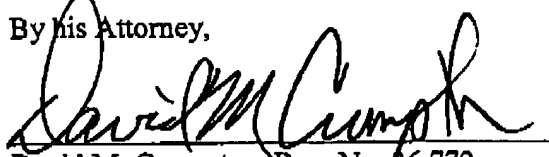
While the Examiner relies upon Senba et al. to meet particular claimed elements not shown by McClelland et al., Applicants contend that Senba et al. fail to remedy the noted shortcomings of McClelland et al., and thus claims 4, 5, 8 and 9 are patentable over the cited combination. Favorable reconsideration is respectfully requested.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Michiya Katou

By his Attorney,



David M. Crompton, Reg. No. 86,772
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349

Date: 12/7/05

Attachment: Copy of Change of Correspondence Address in Application